

Remarks

In the office action, claims 1-3, 5 and 8 were rejected under 35 U.S.C. § 102(b), as being anticipated by or, in the alternative under 35 U.S.C. 103(a) as obvious over Walbridge, "Self-stratifying coatings-an overview of an European Community Research Project," Progress in Organic Coatings, July 1996, ("Walbridge"). Claims 1-3 and 5-11 were rejected under 35 U.S.C. 102(b) as anticipated by or, in the alternative, under 35 U.S.C. 103(a) as obvious over U.S. Patent No. 4,916,019, issued to Nakatani et al. ("Nakatani et al."). Claims 1-3, 5, 8-10 were rejected under 35 U.S.C. 103(a) as being unpatentable over U.S. Patent 3,823,205, issued to Zimmt ("Zimmt"), in view of Walbridge. Further, claim 11 was rejected under 35 U.S.C. 112, first paragraph, as failing to comply with the written description requirement.

In this response, Applicants have amended claim 1. Claims 1-14 remain pending in this application. Claims 12-14 have been withdrawn. Reconsideration and withdrawal of the rejections and objections in view of the amendments and following remarks is hereby respectfully requested.

A. Rejections to claims 1-3, 5 and 8 under 35 U.S.C. 102(b) or, in alternative, under 35 U.S.C. 103(a):

Claims 1-3, 5 and 8 were rejected under 35 U.S.C. 102(b) as anticipated by, or in the alternative, under 35 U.S.C. 103(a) as obvious over Walbridge.

Walbridge describes self-stratifying coatings of waterborne formulations. These formulations compromise a mixture of an acrylic emulsion with alkyd dispersions.

Independent claim 1, as amended, recites a coating composition for formation of a self-layering or self coating lacquer system compromising water and at least two components, at least one of them being:

a clear lacquer configured to be cross-linked and hardened by UV-light curing, wherein the other of the at least two components is thermally dried, and wherein a difference in the surface tensions of the at least two components is greater than 5 mN/m.

Support for the additional features is found in the original application, for example, at paragraph [0031], [0039], and original claim 3.

Applicants respectfully submit that Walbridge, does not teach or suggest, among other features, a clear lacquer configured to be cross-linked and hardened by UV-light curing as recited in claim 1.

Withdrawal of the rejections under 35 U.S.C. 112(b) is respectfully requested.

B. Rejections to claims 1-3 and 5-11 under 35 U.S.C. 102(b) or, in alternative, under 35 U.S.C. 103(a):

Claims 1-3 and 5-11 were rejected under 35 U.S.C. 102 (b) as anticipated by or, in the alternative, under 35 U.S.C. 103(a) as obvious over Nakatani et al.

Nakatani et al. describes cationic electrodeposition coating composition for forming a multiplayer film.

Independent claim 1 has been amended as described above.

Applicants respectfully submit that Nakatani et al. does not teach or suggest the clear coat as being configured to be cross-linked and hardened by UV-light curing. On the contrary, Nakatani et al. specifically teaches baking as a way to harden the coating. See, for example, column 2, lines 1 and 37 and column 12, line 15.

Withdrawal of the rejections under 35 U.S.C. 102(b) is respectfully requested.

C. Rejections to claims 1-3, 5 and 8-10 under 35 U.S.C. 103(a):

Claims 1-3, 5 and 8-10 were rejected under 35 U.S.C. 103(a) as being patentable over Zimmt in view of Walbridge.

Zimmt describes lacquers based on acrylic polymer blends.

Independent claim 1 has been amended as discussed above.

Applicants respectfully submit that Zimmt does not teach or suggest the use of a clear lacquer configured to be being cross-linked and hardened by UV-light curing. On the contrary, Zimmt describes a method to add color pigments to the clear lacquer before curing and hardening and therefore teaches away from a clear lacquer that is configured to be cross-linked and hardened by UV-light curing. As discussed above, this feature of claim 1 is also not suggested by Walbridge.

Withdrawal of the rejections under 35 U.S.C. 103(a) is respectfully requested.

D. Rejections to claim 11 under 35 U.S.C. 112, first paragraph:

Claim 11 was rejected under 35 U.S.C. 112, first paragraph, as failing to comply with the written description requirement.

Claim 11 recites a lacquer coating, produced from a coating composition as recited in claim 1, and further recites that one of the at least two components forms a filler material layer and that another of the at least two components forms one of a base lacquer and a coating lacquer.

Claim 11 thus differs from independent claim 1 in that it is directed to a lacquer coating as opposed to a coating composition. The Examiner asserts that dependant claim 11 contains matter which was not described in the specification. Applicants respectfully submit that the subject matter of claim 11 is adequately described, for example at paragraph [0026]. Claim 11 is not directed to sequence coating as those described in the background section of the application, since it specifically depends from claim 1, which recites a coating composition for formation of a self-layering or self-coating lacquer system.

Withdrawal of the rejections under 35 U.S.C. 112, first paragraph is respectfully requested.

E. Allowable Subject Matter:

Applicants gratefully acknowledge that claim 4 was not rejected, and thus is deemed to be recite allowable subject matter. Because Applicants assert that independent claim 1 is allowable as amended, Applicants decline to rewrite claim 4 in independent form at this time.

CONCLUSION

It is respectfully submitted that the application is now in condition for allowance.

Respectfully submitted,

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